

MODIFIED PTO/SB/

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket  
Number

Q83383

In re Application of: Ken SAKATA, et al.

Application No.: 10/507,242

Filed: September 10, 2004

For: MOLD RELEASING LAYER TRANSFER FILM AND LAMINATE FILM

The owner\*, MITSUI MINING & SMELTING CO., LTD., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 11/120,958, filed on May 4, 2005, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

  
Signature

February 16, 2007  
Date

Ken Sakurabayashi  
Typed or printed name

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☒ Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q83383

Ken SAKATA, et al.

Appln. No.: 10/507,242

Group Art Unit: 1775

Confirmation No.: 9079

Examiner: Cathy Fong Fong Lam

Filed: September 10, 2004

For: MOLD RELEASING LAYER TRANSFER FILM AND LAMINATE FILM

**SUBMISSION OF TERMINAL DISCLAIMER**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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To Examiner Cathy Fong Fong Lam

Of PTO Group Art Unit 1775

Fax 571-273-1538

From Ken Sakurabayashi

Subject Terminal Disclaimer and Submission of Terminal Disclaimer

Our Ref Q83383                      Appln No 10/507,242

Conf No 9079                      Inventors Ken SAKATA, et al.

Pages 3 (including cover sheet)

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2. Terminal Disclaimer
3. Submission of Terminal Disclaimer

#### CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Cathy Fong Fong Lam at the Patent and Trademark Office on February 16, 2007 at 571-273-1538.

Respectfully submitted,

  
Ken Sakurabayashi